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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/883,310	06/19/2001	Kenji Inoue	35. G2836	9758

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EXAMINER

VENT, JAMIE J

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/883,310

Applicant(s)

INOUE, KENJI

Examiner

Jamie Vent

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments, filed October 17, 2005, with respect to the rejection(s) of claim(s) 1-18 under Kuroda have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Kuroda in view of Rayner. The restriction requirement previously made is vacated. All claims are being acted upon.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-18 rejected under 35 U.S.C. 103(a) as being unpatentable over Kuroda (US 6,311,011) in view of Rayner (US 5,388,197).

[claims 1, 7, & 13]

In regard to Claims 1, 7, and 13 Kuroda discloses a television signal receiver connected to a plurality of recording apparatus, which record program data received by said television signal receiver, said television signal comprising:

- An input unit adapted to input program data (Figure 2 shows the input program data as described in Column 4 Lines 18-24);

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- An identification unit adapted to identify a group to which the program data inputted by said input unit belongs (Column 4 Lines 12-17 describes the identification unit used to identify the group of program data); however, fails to disclose
 - A selection unit adapted to select a recording apparatus from among the plurality of recording apparatuses in accordance with the group identification by said identification unit.
 - An output unit adapted to output the program data to the recording apparatus selected by the selection unit

Rayner describes a video editing system with user interface capabilities. It is seen in Figure 2 the selecting means 52 that selects the appropriate recording apparatus for recording, reproducing, or playback to the display 68. The selection capabilities allows for multiple recording apparatuses to be used, which allows for a more complete system for editing and other recording and reproducing procedures. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the receiver system, as described by Kuroda, and incorporate a selection unit for selecting recording apparatus, as described by Rayner.

[claims 2, 8, & 14]

In regard to Claims 2, 8, and 14, Kuroda discloses a television signal receiver wherein a plurality of recording apparatuses is externally connected (Figure 2).

[claims 3,4,9, & 10]

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In regard to Claims 3 and 9, Kuroda discloses a television signal receiver comprising an allocation unit adapted to allocate a group item to each of the plurality of recording apparatuses (Figure 3 shows the allocation unit in S110); however, fails to disclose wherein said selection unit selects the recording apparatus in accordance with the group item allocated by said allocation unit and the group of the program data is identified by said identification unit coincides with none of the group items allocated to the plurality of recording apparatuses by said allocation unit, said selection unit manually selects the recording apparatus from among the plurality of recording apparatus.

Rayner discloses a system wherein selection of the recording apparatus is in accordance with the program data as described in Column 8 Lines 50+ through Column 9 Lines 1-12. The selection device is important in the system due to it automatically selecting the appropriate recording apparatus, which thereby eliminates user interaction of this task. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the television signal receiver, as disclosed by Kuroda, and incorporate a system that has a selection process, as disclosed by Rayner.

[claims 5 & 11]

In regard to Claims 5 and 11, Kuroda discloses a television signal receiver comprising a discrimination unit adapted to discriminate a recording medium mounted in each of the plurality of recording apparatuses wherein said allocation unit allocates a group item to each recording medium mounted in the plurality of recording apparatuses and wherein said selection unit selects a recording apparatus mounting the recording medium

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discriminated by said discrimination unit, in accordance with the group item allocated to the recording medium and the group of the program data identified by the identification unit (Figure 3 shows the discrimination unit which determines the capacity of the various recording mediums as further described in Column 4 Lines 38-40).

[claims 6 & 12]

In regard to Claims 6 and 12, Kuroda discloses a recording control method wherein the group is a genre to which the program data belongs and wherein the genre of the program is identified based on EPG data in the program data inputted in said input step (Column 3 Lines 14-15 describes the EPG data based on the genre of the program).

[claim 15]

In regard to Claim 15, Kuroda discloses a television signal receiver comprising:

- An instruction unit adapted to instruct processing for each of the recording apparatuses (Figure 9 shows the instruction unit for processing the recording apparatuses);
- Determination unit adapted to determine whether or not the processing instructed by said instruction unit is from a user corresponding to the user information set by the setting unit (Figure 9 shows the determining of whether the instruction should be processed)
- Control unit controls the corresponding recording apparatus to perform the instructed processing when said determination unit has determined the processing is instructed from the user corresponding to the set user

information (Figure 9 shows the controlling unit for the various recording apparatuses).

[claims 16, 17, & 18]

In regard to Claim 16, Kuroda discloses a television signal receiver wherein the setting units sets a user name and user ID to each of the plurality of recording apparatuses wherein the determination unit comprises an input adapted to the input of the user ID corresponding to the user name (Figure 9 shows the setting units for determination of setting names and user ID to the recording apparatuses through the remote control input).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Murata et al (US 6118925);
- LaJoie (US 5850218).

Contact Information

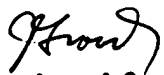
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamie Vent whose telephone number is 571-272-7384. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jamie Vent
10/27/05


James J. Groody
Supervisory Patent Examiner
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